

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CESFIN VENTURES LLC,

Petitioner,

v.

AL GHAITH HOLDING COMPANY PJSC,

Respondent.

15 Civ. 9857 (PGG) (KNF)

~~PROPOSED~~ JUDGMENT

Cessna Finance Corporation (“**Cessna**”), having filed a petition (the “**Petition**”) on December 17, 2015, pursuant to 9 U.S.C. § 201 *et seq.*, to confirm an arbitration award (the “**Final Award**”) issued on October 26, 2015 by the International Court of Arbitration in the International Chamber of Commerce in favor of Cessna and against Respondent Al Ghaith Holding Bank PJSC (“**AGH**”), in the principal amount of \$41,168,134.19 together with: (i) simple interest at the rate of 1.5% per month from September 2014 until the date of payment of the amounts owed under the Final Award; (ii) costs and fees in the amount of \$530,000, plus simple interest accruing at the rate of 1.5% per month from the date of the Final Award until the date of payment of the amounts owed under the Final Award; and (iii) 75% of Cessna’s legal fees and other expenses incurred in connection with the arbitration in the amount of \$1,503,839.91, plus simple interest accruing at 1.5% per month from the date of the Final Award until payment of the amounts owed under the Final Award, and the Court having fully considered both the Petition and AGH’s cross-motion to vacate the Final Award, and the Court having issued an Opinion and Order on May 7, 2019 (the “**Opinion and Order**”), granting the Petition seeking confirmation of the Final Award and denying AGH’s cross-motion to vacate the Final Award, and for the reasons set forth in the Opinion and Order, the Clerk of the Court having entered a judgment on May 8, 2019 in favor of

Cessna and against AGH (the “**Judgment**”) and closing the case, and Cessna having assigned to Petitioner CesFin Ventures LLC (“**CesFin**”), pursuant to a Confirmation of Assignment of Award and Judgment dated October 25, 2019 (the “**Assignment**”), all of Cessna’s rights, title and interest in both the Final Award and the Judgment, together with all the rights, interests or remedies relating to such Judgment, and the Court having issued an Order on February 16, 2021, substituting CesFin for Cessna as the Petitioner in this action, and AGH not having paid any of the amounts owed under the Final Award and the Judgment;

NOW, it is hereby,

ADJUDGED and DECREED: that Petitioner CesFin Ventures LLC shall recover from, and immediately execute against, Respondent Al Ghaith Holding Company PJSC: (i) the principal amount of \$41,168,134.19 owed under the Final Award, dated October 26, 2015, with simple interest at the rate of 1.5% per month from September 2014 until the date of payment of the amounts owed under the Final Award; (ii) costs and fees in the amount of \$530,000, plus simple interest accruing at the rate of 1.5% per month from October 26, 2015, the date of the Final Award, until the date of payment of the amounts owed under the Final Award and the Judgment; and (iii) 75% of Cessna’s legal fees and other expenses incurred in connection with the arbitration in the amount of \$1,503,839.91, plus simple interest accruing at 1.5% per month from October 26, 2015, the date of the Final Award, until payment of the amounts owed under the Final Award and the Judgment, and that Petitioner CesFin Ventures LLC shall have execution of the amounts owed under the Final Award and the Judgment.

Dated: New York, New York
May 17, 2021

ENTERED:

Paul G. Gardephe

HON. PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK